

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- against -

LAWRENCE BILLIMEK,

Defendant.

**ORDER**

22 Cr. 675 (PGG)

PAUL G. GARDEPHE, U.S.D.J.:

In connection with the Defendant's restitution obligations, victim TIAA-CREF is seeking \$38,432,621.62. (Consent Preliminary Order of Forfeiture (Dkt. No. 52)) This amount is comprised of \$38 million "client impact," \$310,674.12 in attorneys' fees, and \$121,947.50 in expert fees, and pre-judgment interest. (PSR (Dkt. No. 61) at 11; see also Govt. Submission (Dkt. No. 71))

In the pre-sentence report (Dkt. No. 61), the Probation Department says that Defendant has not disclosed the details regarding the sale of property located at 4460 Aku Road, Hanalei, HI and 5-7320 Kuhio Highway, Hanalei, HI, as well as the proceeds from each sale. (Id. at 32-33) The Probation Department also says that Defendant has not explained how he is covering monthly expenses of \$38,960 based on a monthly income of \$23,941. (Id. at 33-34)

By **May 15, 2024, at 5:00 p.m.**, Defendant will make a submission addressing:  
(1) the appropriate amount of restitution and the basis for each component of restitution; (2) the Probation Department's assertion that Defendant has not disclosed the details regarding the sale of the properties referenced above, including the disposition of proceeds; and (3) the Probation Department's assertion that the Defendant has not explained how he is able to cover monthly expenses of \$38,960 on a monthly income of \$23,941.

Dated: New York, New York  
May 13, 2024

SO ORDERED.

  
Paul G. Gardephe  
Paul G. Gardephe  
United States District Judge